

DOCUMENT RESUME

ED 165 590

HE 010 843

TITLE Keeping Your School or College Catalog in Compliance with Federal Law and Regulations.

INSTITUTION Federal Interagency Committee on Education, Washington, D.C.

PUB DATE Jun 78

NOTE 28p.; Footnotes marginally legible

AVAILABLE FROM Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

EDRS PRICE MF-\$0.83 HC-\$2.06 Plus Postage.

DESCRIPTORS *Catalogs; Colleges; *Consumer Protection; Directories; Educational Discrimination; Federal Legislation; *Federal Regulation; Foreign Students; Government School Relationship; Guides; Handicapped Students; Higher Education; *Information Dissemination; Laws; *Legal Responsibility; Nonprofit Organizations; Privacy; Sex Discrimination; Student Rights; Taxes; Veterans

IDENTIFIERS *College Catalogs; *Compliance (Legal)

ABSTRACT

Information is provided in this guide to assist educational institutions in bringing their catalogs and other informational materials into compliance with federal laws and regulations. It summarizes applicable laws and regulations and includes the names and mailing addresses of the agencies responsible for administering these laws, regulations, and executive orders. Each section of the guide contains information regarding authority, responsible agency, purpose, institutions covered, pertinent laws or regulations, and references. The following nine sections make up the guide: Student Consumer Information; Veterans' Benefits; Nondiscrimination on the Basis of Sex; Nondiscrimination on the Basis of Handicap; Protection of Privacy for Students and Parents; Nonimmigrant Alien Students; Mailing Second-Class and Controlled Circulation Publications; Identification of Mail for Non-Profit Organizations (Third-Class Mail); and Exemption for Federal Income Tax. (BD)

* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *

Keeping Your School or College Catalog in Compliance with Federal Laws and Regulations

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

THIS DOCUMENT HAS BEEN REPRO-
DUCED EXACTLY AS RECEIVED FROM
THE PERSON OR ORGANIZATION ORIGIN-
ATING IT. POINTS OF VIEW OR OPINIONS
STATED DO NOT NECESSARILY REPRESENT
OFFICIAL NATIONAL INSTITUTE OF
EDUCATION POSITION OR POLICY.

June 1978

Federal Interagency
Committee on Education

Discrimination Prohibited

No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance, or be so treated on the basis of sex under most education programs or activities receiving Federal assistance.

Keeping Your School or College Catalog in Compliance with Federal Laws and Regulations

**U.S. DEPARTMENT OF HEALTH, EDUCATION,
AND WELFARE**

Joseph A. Califano, Jr., Secretary

Education Division

Mary F. Berry, Assistant Secretary for Education

Federal Interagency Committee on Education

Mary F. Berry, Chair

For sale by the Superintendent of Documents, U.S. Government
Printing Office, Washington, D.C. 20402

Table of Contents

v	Foreword
ix	Introduction
vii	Use of These Guidelines
x	Accreditation and Branch Campuses
1	Student Consumer Information
2	Veterans' Benefits
5	Nondiscrimination on the Basis of Sex
7	Nondiscrimination on the Basis of Handicap
8	Protection of Privacy for Students and Parents
10	Nonimmigrant Alien Students
11	Mailing Second-Class and Controlled Circulation Publications
13	Identification of Mail for Non-Profit Organizations (Third-Class Mail)
14	Exemption for Federal Income Tax
15	Index

Federal Interagency Committee on Education
Mary F. Berry, Chair
Assistant Secretary for Education
U.S. Department of Health, Education, and Welfare

The Federal Interagency Committee on Education (FICE) was created by Executive Order in 1964 and operates under an updated mandate, Executive Order 11761, issued in January 1974. Chaired by the Assistant Secretary for Education, FICE's functions are to improve coordination of the educational activities of Federal agencies; to identify the Nation's educational needs and goals; and to advise and make recommendations on educational policy to heads of Federal agencies, to the Secretary of Health, Education, and Welfare and through him to the President.

Foreword

Educational institutions which receive Federal funds must comply with regulations issued by the agencies granting these funds. Publications provided to students by colleges, universities, trade and technical schools, and other educational institutions must include specified information if the institution is to participate in Federal programs of educational assistance.

This guide represents a collaborative effort of several education associations and those Federal agencies which administer educational programs; we have assembled a summary of these laws and regulations. We hope this publication will assist you in bringing your catalogs and other informational materials into compliance with Federal laws and regulations.

The Federal Interagency Committee on Education and representatives of educational organizations and Federal agencies served as a steering committee and advisory council for the preparation of this guide.

Mary F. Berry
Assistant Secretary
for Education

Chair,
Federal Interagency
Committee on Education

Use of This Guide

	Each section contains the following:
Authority	cites the pertinent Federal statute, regulation, or executive order giving the force of law to the requirements or conditions to be met by the institutions.
Responsible Agency	names the Federal agency or department responsible for administering the given law, regulation, or executive order.
Purpose	states only the purpose of the specific regulation or portion of the law being brought to the attention of the institution at this time. (Do not construe it as a summary of all the purposes of a given law, set of regulations, or executive order.)
Institutions Covered	indicates to which institutions or category of institutions (e.g., public or private) the cited rules apply.
Pertinent Laws/Regulations	presents all or part of the specific law, regulation, or executive order covering the given topic or subject.
References	<p>cites the pertinent Public Law number, <i>Federal Register</i> entry, and codified law in the U.S. Code.</p> <p>Public laws are abbreviated <i>P.L. 94-502</i>; the first two digits denote the session of Congress in which the legislation was passed. <i>Federal Register</i> entries are written as <i>42 FR 42957</i> followed by the date of the entry. The first two digits denote the volume number and the last digits denote the page number. Codified laws are written as <i>20 USC 1681</i>; the first two digits indicate the title (or subject category) and the second set of numbers indicates the section (or relevant part) of the law.</p> <p>The <i>Federal Register</i> is published five days a week and contains rules and regulations governing the administration of all Federal laws. Collections of the <i>Register</i> are available in 1,050 Depository Libraries across the country, including most Land Grant colleges and State universities.</p>

The Agencies Whose Legal Stipulations Are Covered in This Guide Are Listed Here:

Veterans Administration

Schools and colleges seeking approval for veterans benefits must file two copies of their basic catalog with the State approving agency. The catalog must bear official certification as to truth and accuracy in content and policy. It must disclose institutional policies on student admissions, academic progress, and course load, among others. Written information must be furnished to prospective students describing costs of attendance and available financial assistance. Descriptions of policies concerning refunds, selection of aid recipients, and course completion requirements must also be included. Institutions must employ fulltime counselors to advise students on financial matters.

Office for Civil Rights (HEW)

An official notice must be published for prospective students or employees disclaiming discrimination on the basis of sex or physical handicap in educational or institutional activities. In addition, annual notice must be given to students or parents concerning their rights to inspect student records under the Family Educational Rights and Privacy Act of 1974.

Family Educational Rights and Privacy Act of 1974 (FERPA)

Annual notice must be given to students or parents concerning their rights to inspect student records.

Office of Education (HEW)

Student Consumer information on financial and academic requirements must be published. Fulltime counselors must be available for students.

Department of Justice

Institutions approved for attendance by nonimmigrant alien students must publish public notices to that effect as stipulated by the Immigration and Naturalization Service.

Postal Service

Special identification must be shown in specified locations on materials to be mailed at second-class and third-class bulk rates or with controlled circulation privileges.

Internal Revenue Service

Private institutions seeking to retain tax exempt status must publish a statement concerning their racially non-discriminatory policies toward students.

Introduction

Most schools, colleges, and universities in the United States benefit from Federal education programs through direct grants for research and development and through financial aid to students on campus. In the last two decades, Federal education programs have rapidly expanded; consequently, the number and complexity of related laws and regulations have increased. In order to become or remain eligible for these benefits, educational institutions must comply with these Federal laws and regulations.

Some of the Federal agencies responsible for program administration have issued laws and regulations that affect the content and format of catalogs, bulletins, and other informational materials which are read by students, parents, employees, and other constituencies. These laws and regulations are intended to protect educational consumers; however, their complexity often makes them difficult to understand. In order to help solve the problem the American Council on Education asked the Assistant Secretary for Education, Dr. Mary F. Berry, to assist the higher education community in identifying and clarifying the essential laws and regulations affecting institutional catalogs, bulletins, and other informational pieces. Dr. Berry assigned project responsibility to the Federal Interagency Committee on Education (FICE).

The following representatives of Federal agencies and higher education associations composed the FICE ad hoc work group that directed the activities of the project: Charles B. Saunders, Jr., American Council on Education; William McNamara, Council for Advancement and Support of Education; Myron Wolowitz, Veterans Administration; George Arnstein, Veterans Administration; Kenneth Young, Council on Postsecondary Accreditation; Leslie Ross, Office of Education; Hazel Benn, American Association of Collegiate Registrars and Admissions Officers. Dr. William G. Shannon, under contract with FICE, provided the research and writing for this publication.

This publication provides information to assist institutions in bringing their publications into compliance with Federal laws and regulations. It summarizes applicable laws and regulations but does not attempt to interpret them; it also includes the names and mailing addresses of the agencies responsible for administering these laws, regulations, and executive orders.

We encourage your institution to go beyond mere compliance in order to receive Federal dollars and to carry out not only the letter but also the spirit of the law. Although many regulations make the provision of certain information optional (for example, "if figures are available") or require institutions only to respond to formal requests for information, we urge you to provide all the information necessary for students to make informed educational choices.

**Inside Information: A Handbook on Better Information for Student Choice, by Joan S. Stark, is a practitioner's guide to improving the quality of information on any campus (available from the American Association for Higher Education, One Dupont Circle, Washington, D.C. 20036).*

Accreditation and Branch Campuses

No Federal statute or regulation specifically requires that institutions publish notice of their accreditation. However, if your institution chooses to publish such a notice, you should first consult your institution's accrediting agency—several accrediting agencies require that such notices be perfectly accurate and specifically stated.

Although institutional accreditation implies recognition for an entire institution, branch campuses may not have received blanket accreditation along with the home institution. Since professional accreditation is usually for a specific program, level, and time, it may apply to offerings on one campus but not to offerings on another campus of the same institution. Be sure that published references (in catalogs, bulletins, etc.) to accreditation or professional program approval are strictly stated and do not inadvertently mislead students or any other readers.

Note:

In order to be eligible for Federal support or assistance, some institutions or programs are required to be accredited or approved by a particular agency. If this is the case, these same eligibility requirements may also apply to branch campuses of the institutions or extended units and their programs.

Student Consumer Information

Authority	Section 493A of Title IV of the Higher Education Act of 1965 (P.L. 89-329) as added by Section 131 of the Education Amendments of 1976 (P.L. 94-482).
Responsible Agency	Bureau of Student Financial Assistance Office of Education U.S. Department of Health, Education, and Welfare 400 Maryland Avenue, S.W. Washington, D.C. 20202
Purpose	Provides for specific information that must be disseminated in writing to enrolled or prospective students who request it. This includes specification of the full-time availability of an employee or group of employees to disseminate information to students.
Institutions Covered	Any institution which receives payment of an administrative expense allowance under one or more of the Title IV programs.
Pertinent Laws/Regulations	<p>Institution must provide to prospective and enrolled students, upon request, information about:</p> <ul style="list-style-type: none">• available financial assistance, including all Title IV programs as well as their own and State programs;• cost of attendance• refund policy;• student eligibility• criteria used by the institution to select financial aid recipients and determine award amounts.• a statement of the rights and responsibilities of students receiving aid under Title IV programs;• descriptions of academic programs;• figures showing percent of students having completed a particular course of study (if figures are available);• and a description of retention rates in terms of each institution's enrollment patterns and types of students. <p>Each institution must have an employee or a group of employees available on a full time basis to assist all students in obtaining information. However, institutions with small enrollments may apply to the Commissioner of Education for a waiver of this requirement (See 42 FR 61043 for reference).</p>
References	42 FR 61043 (45 CFR Part 178) December 1 1977 20 USC 10886-1 Higher Education Act of 1965 (P.L. 89-329) Education Amendments of 1976 (P.L. 94-482)

Veterans' Benefits

Authority
Responsible
Agency
Purpose

Title 38, United States Code, *Veterans' Benefits*.
Veterans Administration (229)
Washington, D.C. 20420

Instructs institution about

- A. information that must be published in bulletins or catalogs;
- B. requirements for official certification that the institution's catalog or bulletin is true and correct in content and policy;
- C. prohibition of false advertising.

Institutions
Covered

All accredited and nonaccredited educational institutions seeking approval for veterans' benefits.

Pertinent Laws/
Regulations

A. **FOR ACCREDITED INSTITUTIONS** (Title 38, Section 1775): "In making application for approval, the institution shall transmit to the State approving agency copies of its catalog or bulletin which must be certified as true and correct in content and policy by an authorized representative of the school. The catalog or bulletin must include as a minimum":

- 1. "Institution policy and regulations relative to standards of progress required of the student by the institution (this policy will define the grading system of the institution, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress and a description of the probationary period, if any, allowed by the institution, and conditions of reentrance for those students dismissed for unsatisfactory progress. A statement will be made regarding progress records kept by the institution and furnished the student);
- 2. Institution policy and regulations relating to student conduct and conditions for dismissal for unsatisfactory conduct."

B. **FOR NONACCREDITED INSTITUTIONS** (Title 38, Section 1776): An institution's application for approval by the State approving agency "shall be accompanied by not less than two copies of the current catalog or bulletin which is certified as true and correct in content and policy by an authorized owner or official and includes the following:

- 1. Identifying data, such as volume number and date of publication;

2. Names of the institution and its governing body, officials and faculty;
3. A calendar of the institution showing legal holidays, beginning and ending date of each quarter, term, or semester, and other important dates;
4. Institution policy and regulations on enrollment with respect to enrollment dates and specific entrance requirements for each course;
5. Institution policy and regulations relative to leave, absences, class cuts, makeup work, tardiness and interruptions for unsatisfactory attendance;
6. Institution policy and regulations relative to standards of progress required of the student by the institution, (this policy will define the grading system of the institution, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress and a description of the probationary period, if any, allowed by the institution, and conditions of reentrance for those students dismissed for unsatisfactory progress. A statement will be made regarding progress records kept by the institution and furnished the student);
7. Institution policy and regulations relating to student conduct and conditions for dismissal for unsatisfactory conduct;
8. Detailed schedules of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges;
9. Policy and regulations of the institution relative to the refund of the unused portion of the tuition, fees, and other charges in the event the student does not enter the course or withdraws or is discontinued therefrom;
10. A description of the available space, facilities, and equipment;
11. A course outline for each course for which approval is requested, showing subjects or units in the course, type of work or skill to be learned, and approximate time and clock hours to be spent on each subject or unit; and

12. Policy and regulations of the institution relative to granting credit for previous training. (Added P.L. 88-126, Section 1)."

C. FOR ALL INSTITUTIONS

"The certification that the catalog or bulletin is true and correct in content and policy will not be acceptable if accompanied by a general disclaimer. If a change of policy or practice occurs as to a matter required by law to be in the catalog or as to other significant matters, an addendum or correction must be published, certified as true and correct in content and policy, and transmitted to the State approving agency."

D. FOR ALL INSTITUTIONS

The institution's catalog and other publications must not be "erroneous, deceptive, or misleading either by actual statement, omission or intimation." (P.L. 93-508, Section 212, and Section 1796, Title 38, U.S. Code).

References

42 FR 42957 August 25, 1977

Veterans Education and Employment Act of 1976 (P.L. 94-502)

A SPECIAL NOTE:

Editors should be aware that the Veterans Administration (VA) does not approve either institutions or courses in the United States for veterans educational benefits. *No institution is therefore entitled to state that it is approved by the Veterans Administration.* This approval authority belongs by law to special approval agencies in each State.

The VA does approve certain foreign colleges and universities for attendance by American veterans.

Nondiscrimination on the Basis of Sex

Authority	Title IX: Education Amendments of 1972 (P.L. 92-318)
Responsible Agency	Sex Discrimination Branch Office for Civil Rights U.S. Department of Health, Education, and Welfare 330 Independence Avenue, S.W. Room 5513 Washington, D.C. 20201
Purpose	Provides for notification of applicants for admission and employment, students, employees, and applicant referrals for admission and employment—and others—that the institution does not discriminate on the basis of sex in the educational programs or activities which it operates, and that it is required by Title IX not to discriminate in this manner.
Institutions Covered	Institutions of vocational education, professional education, graduate higher education, and public institutions of coeducational undergraduate higher education, (excluding military service or merchant marine institutions), that receive Federal financial assistance.
Pertinent Laws/Regulations	<p>DESIGNATION OF RESPONSIBLE EMPLOYEE: The institution must designate at least one employee to coordinate compliance efforts and investigate any complaints of sex discrimination; all students and employees must be notified of the name, office address, and phone number of this employee.</p> <p>GRIEVANCE PROCEDURES: Each institution must adopt and publish grievance procedures providing for the resolution of student and employee complaints.</p> <p>NOTIFICATION OF POLICY: The institution must take immediate and specific steps to notify applicants and referral sources for admission and employment; students, parents, employees, and all unions or professional organizations holding bargaining or professional agreements with the institution of its compliance with Title IX.</p> <p>PUBLICATIONS: The institution must include in prominent places a policy statement of nondiscrimination on the basis of sex in each announcement, bulletin, catalog, application form, or other materials used in connection with the recruitment of students or employees. No publication should suggest, by text or illustration, that the institution treats students, applicants, or employees differently on the basis of sex except as permitted by the Regulation.</p>

References

40 FR 24128 (45 CFR Part 86) June 4, 1975

Education Amendments of 1972 (P.L. 92-318) - Title IX

Civil Rights Act of 1964 (P.L. 88-352) - Title IV

20 USC 1681-1682

See also:

Section 845 of Part C, Title VIII of the Public Health Service Act, as amended by the Nurse Training Act of 1971;

Section 799A of Part H, Title VII, Public Health Service Act, as amended by the Comprehensive Health Manpower Training Act of 1971.

Nondiscrimination on the Basis of Handicap

Authority	Section 504, Rehabilitation Act of 1973 (P.L. 93-112)
Responsible Agency	Handicapped Discrimination Branch Office for Civil Rights U.S. Department of Health, Education, and Welfare 330 Independence Avenue, S.W. Room 5065 Washington, D.C. 20201
Purpose	Specifies that the institution must take specific steps to publish its policy on nondiscrimination on the basis of handicap in regard to admission or employment, and access to programs or activities.
Institutions Covered	All institutions with 15 or more employees, and other entities, to which Federal financial assistance is extended directly or indirectly. (This may also apply to very small institutions under some conditions).
Pertinent Laws/Regulations	<p>The institution must take initial and continuing steps to notify participants, beneficiaries, applicants, and employees, including those with impaired vision or hearing and unions or professional organizations holding collective bargaining or professional agreements with the institution that it does not discriminate on the basis of handicap in admission or access to, or treatment or employment in its programs and activities.</p> <p>The institution must also adopt procedures insuring that interested persons can obtain information with respect to the existence and location of services, activities, and facilities that are accessible to and usable by handicapped persons.</p> <p>Finally, the notification must include an identification of the responsible employee(s) designated to coordinate efforts to comply with this law. Methods of notification may include the posting of notices, publication in newspapers and magazines, placement of notices in the institution's publications and distribution of memoranda or other written communications.</p> <p>If the institution publishes or uses recruitment materials or publications containing general information that it makes available to participants, beneficiaries, applicants, or employees, it must include the statement of the non-discriminatory policy in these materials or publications.</p>
References	42 FR 22676 (45 CFR Part 84) May 4, 1977 Rehabilitation Act of 1973 (P.L. 93-112) Rehabilitation Act Amendments of 1974 (P.L. 93-516) 29 USC 706, 794 20 USC 1405 21 USC 1174 42 USC 4581

Protection of Privacy for Students and Parents

Authority Family Educational Rights and Privacy Act of 1974 (P.L. 93-380) as amended (P.L. 93-568), also known as the Buckley Amendment.

Responsible Agency Family Educational Rights and Privacy Act (FERPA) Office
U.S. Department of Health, Education, and Welfare
200 Independence Avenue, S.W. Room 526-E
Washington, D.C. 20201

Purpose Specifies that the institution must provide eligible students or their parents with the opportunity to review the student's education records, to seek correction of information contained in those records, and to limit disclosure of information from the records. Schools are required to give students or their parents annual written notice of these rights and the right to file a complaint with HEW if any of their FERPA rights have been violated. Further, institutions are required to have a written policy governing their recordkeeping procedures.

Institutions Covered All institutions to which funds are made available under any Federal program for which the U.S. Commissioner of Education has administrative responsibility.*

Pertinent Laws/Regulations Each institution must give parents of students in attendance or eligible students in attendance at the institution annual notice (by such means as we are reasonably likely to inform them) of the following: their rights under section 438 of the Act; the regulations in this part, and the policy of the institution on information practices; the notice must also inform parents of students or eligible students in attendance of the locations where copies of the policy may be obtained; and the right to file complaints concerning alleged failures by the institution to comply with the requirements of the Act and with requirements for providing appropriate information about the institution's policy on an annual basis (See 45 CFR Part 99.6).

Note: Each institution has the responsibility of deciding how it will go about the process of notification. Some institutions may decide to provide notice on an individual basis, others may decide to publish the notification in a student handbook, catalog, or student newspaper, or post it on bulletin boards.

* A list of Federal programs for which the U.S. Commissioner of Education has administrative responsibility is published annually. See the "1978 Guide to OE Programs" in *American Education*, Vol. 14, No. 2 (March 1978), pp. 27-35.

This section on privacy is affected by Section 510 of the Veterans Education and Employment Act of 1976 (P.L. 94-502) which provides that notwithstanding P.L. 93-568, records and accounts pertaining to veterans as well as those of other students shall be available for examination by government representatives. The exception is found in Title 38 of the U.S. Code, Section 1790(c).

References

45 CFR Part 99

41 FR 24661 June 17, 1976

20 USC 1232g

38 USC 1790(c)

Family Educational Rights and Privacy Act of 1974 (P.L. 93-380) as amended by P.L. 93-568

Nonimmigrant Alien Students

Authority	Immigration and Nationality Act (P.L. 87-195)
Responsible Agency	Immigration and Naturalization Service U.S. Department of Justice 425 Eye Street, N.W. Washington, D.C. 20536
Purpose	Stipulates exact wording to be used in the institution's publications regarding institutional approval for attendance by nonimmigrant alien students.
Institutions Covered	All institutions that have been approved by the Immigration and Naturalization Service for attendance by nonimmigrant alien students.
Pertinent Laws/Regulations	"ADVERTISING. In any advertisement, catalog, brochure, pamphlet, literature, or other material hereafter printed by or for an approved school, any statement which may appear in such material concerning approval for attendance by nonimmigrant students shall be limited solely to the following: <i>This school is authorized under Federal law to enroll nonimmigrant alien students.</i> "
References	30 FR 14782 November 30, 1965 8 USC 1201 Immigration and Nationality Act (P.L. 87-195)

A SPECIAL NOTE: In order to enroll nonimmigrant alien students from abroad, institutions must be approved by the Immigration and Naturalization Service of the U.S. Department of Justice.

Mailing Second-Class and Controlled Circulation Publications

Authority	United States Postal Service Manual, Parts 125, 132, and 133.
Responsible Agency	U.S. Postal Service 475 L'Enfant Plaza, S.W. Room 1610 Washington, D.C. 20260
Purpose	Provides instructions on placing <ol style="list-style-type: none">required information on envelopes or wrappers for bulk mailing;identification statements in copies of publications mailed second-class;identification statements in controlled circulation publications.
Institutions Covered	All institutions with or seeking second-class mail privileges and controlled circulation mail privileges.
Pertinent Laws/Regulations	<ol style="list-style-type: none">SECOND-CLASS BULK MAILING: Sealed or unsealed envelopes used as wrappers and sealed wrappers or other sealed covers must show in the upper right corner a notice of entry. The Postal Service is proposing that the publication number assigned to the publication by the Office of Mail Classification also appear in the upper right corner. The upper left corner must show the name of the publication and the mailing address to which undeliverable copies or change of address notices are to be sent;SECOND-CLASS MAIL: Copies of publications must have an identification statement conspicuously shown in type no smaller than the normal text located either on one of the first five pages (preferably in the masthead) or in the masthead on the editorial page (provided the location of the editorial page is shown on the front page of the publication in the table of contents). The Postal Service would prefer that all identification statements be put together on one of the first five pages of the publication prefaced by the word POSTMASTER in capital letters and preferably in the masthead. The identification statement must contain: name of publication, date of issue, statement of frequency, issues number, subscription price (if any), name of known office of publication, and ZIP code, second-class imprint and publication number, <div>OR, if appropriate, a special statement providing notice of pending application and a mailing address for change of address orders.</div>

- C. **CONTROLLED CIRCULATION MAIL:** Copies of publications must have an identification statement located in the masthead on the editorial page containing name of publication, date of issue, frequency of issue, address of publisher, subscription price (if any), and controlled circulation imprint and publication number.
- OR, 1

notice of pending application.

NOTE: Publications mailed at second-class rates may not include any loose or stapled enclosures (except subscription forms or receipts). Consult the U.S. Postal Service for the latest information on regulations.

References

42 FR 38604 July 29, 1977

Postal Service Manual, Parts 125, 132, and 133

Identification of Mail for Non-Profit Organizations (Third-Class Mail)

Authority	United States Postal Service Manual, Part 134
Responsible Agency	U.S. Postal Service 475 L'Enfant Plaza, S.W. Room 1610 Washington, D.C. 20260
Purpose	Specifies how third-class mail sent by non-profit organizations must be identified.
Institutions Covered	Every institution authorized to mail at special third-class rates.
Pertinent Laws/Regulations	Institution must put its own name either as a return address on the mailing piece or in a prominent location on the message. <i>Note: Consult the U.S. Postal Service for the latest information on regulations.</i>
References	42 FR 41634 August 18, 1977 39 USC 401 (2) Postal Service Manual 134.58

Exemption from Federal Income Tax

Authority Section 501(c)(3) and 170(b)(1)(A)(ii) Internal Revenue Code of 1954

Responsible Agency Internal Revenue Service
U.S. Department of the Treasury
1111 Constitution Avenue, N.W. Room 6136
Washington, D.C. 20224

Purpose Stipulates that tax exempt private schools or colleges must publish a statement of nondiscrimination regarding students, on the basis of race, color, and national or ethnic origin in the administration of their admissions policies, educational policies, scholarship and loan programs, and athletic or other school-administered programs.

Institutions Covered All private institutions as described in section 170(b)(1)(A)(ii) seeking to retain or obtain exemption from Federal income tax under the Code (section 501(c)(3)).

Pertinent Laws/Regulations In all its brochures and catalogs dealing with student admissions, programs, and scholarships, the institution must include a statement of its racially nondiscriminatory policy. Reference must also be made to an institution's racially nondiscriminatory policy in all other written advertising used to inform prospective students of its programs. (The IRS has set forth guidelines and recordkeeping requirements in Rev. Proc. 75-50, 1975-2 and C.B. 587 for determining whether private institutions have racially nondiscriminatory student policies.) The institution must make this policy known to all segments of the general community served by the institution.

References 40 FR 53409 November 18, 1975
Internal Revenue Code of 1954

Index

x	Accreditation Statements
4	Advertising
10	Approval Statements
x	Branch Campuses
8	Buckley Amendment
6	Civil Rights Act of 1964
6	Comprehensive Health Manpower Training Act of 1971
11	Controlled Circulation Publications
5	Education Amendments of 1972
1	Education Amendments of 1976
8	Family Educational Rights and Privacy Act of 1974
14	Federal Income Tax Exemption
	Federal Register
10	30 FR 14782 November 30, 1965
6	40 FR 24128 June 4, 1975
14	40 FR 53409 November 18, 1975
9	41 FR 24661 June 17, 1976
7	42 FR 22676 May 4, 1977
12	42 FR 38604 July 29, 1977
13	42 FR 41634 August 18, 1977
4	42 FR 42957 August 25, 1977
1	42 FR 61043 December 1, 1977
8	FERPA Office/HEW
7	Handicap Discrimination
1	Higher Education Act of 1965, Title IV
10	Immigration and Nationality Act
10	Immigration and Naturalization Service
14	Income Tax Exemption
14	Internal Revenue Code
11, 12, 13, 14	Mailing Privileges
	Nondiscrimination on Basis of
7	Handicap
14	Race
5	Sex
10	Nonimmigrant Alien Students
13	Non-Profit Organizations (mail)
6	Nurse Training Act of 1971
5, 7	Office for Civil Rights
8	Protection of Privacy
6	Public Health Service Act
	Public Laws

20	PL 87-195
4	PL 88-126
6	PL 88-352
1	PL 89-329
5	PL 92-318
7	PL 93-112
8	PL 93-380
4	PL 93-508
7	PL 93-516
8	PL 93-568
1	PL 94-482
4, 9	PL 94-502
14	Racial Non-discrimination
7	Rehabilitation Act of 1973, Section 504
7	Rehabilitation Act Amendments of 1974
11	Second-Class Mail
14	Section 501(c)(3) IRS Code
7	Section 504, Rehabilitation Act of 1973
5	Sex Discrimination
2	State Approval Agency
1	Student Aid Programs
1	Student Consumer Information
8	Student Privacy (Also see Buckley Amendment)
13	Third-Class Mail
1	Title IV, Higher Education Act of 1965 (Student Aid)
2, 4	Title 38, USC (Veterans)
6	Title IV, Civil Rights Act of 1964
5	Title IX, Education Amendments of 1972 (Affirmative Action)
	United States Code
10	8 USC 1201
1, 6	20 USC
9	20 USC 1232g
2, 9	38 USC
13	39 USC 401 (2)
8	U.S. Commissioner of Education
1, 5, 7, 8	U.S. Department of Health, Education, and Welfare
14	U.S. Department of the Treasury
1	U.S. Office of Education
16	11, 12, 13
	U.S. Postal Service

viii, 2 Veterans Administration
2 Veterans' Benefits
2, 4 Veterans Education and Employment Act of 1976

U.S. GOVERNMENT PRINTING OFFICE: 1978 O—421-293/196 REGION 3-1

**Federal Interagency Committee
on Education**

Mary F. Berry, Chair

Assistant Secretary for Education

Department of Health, Education, and Welfare

Members

- *Commissioner of Education
- *Director, National Institute of Education
- *Department of Agriculture
- *Department of Defense
- *Department of Energy
- *Department of Labor
- *Department of State
- *National Aeronautics and Space Administration
- *National Science Foundation

ACTION

Administration on Aging
Alcohol, Drug Abuse, and Mental Health Administration
Civil Service Commission
Community Services Commission
Department of Commerce
Department of Housing and Urban Development
Department of the Interior
Department of Justice
Environmental Protection Agency
Federal Communications Commission
National Endowment for the Arts
National Endowment for the Humanities
National Institutes of Health
Office of the Assistant Secretary for Health, HEW
Office of Child Development
Small Business Administration
Tennessee Valley Authority
Veterans Administration

Observers

- *Office of Management and Budget
- *Council on Economic Advisors
- Council on Environmental Quality
- National Academy of Sciences
- Smithsonian Institution
- Bernard Michael
Executive Director
Federal Interagency Committee on Education
Room 313-H
200 Independence Avenue, S.W.
Washington, D.C. 20021

*Agencies named in Executive Order 11761